

**Baker & Hostetler LLP**

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**Presentment Date: April 19, 2017**

**Time: 12:00 p.m.**

**Objections Due: April 19, 2017**

**Time: 11:30 a.m.**

*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**NOTICE OF PRESENTMENT OF ORDER AUTHORIZING THE  
CONTINUED DEPOSITION OF BERNARD L. MADOFF**

**PLEASE TAKE NOTICE** that Irving H. Picard, as trustee (the “Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff, by the Trustee’s undersigned counsel, will present the proposed order (the “Order”), a copy of which is annexed hereto as Exhibit A, modifying the Order Authorizing the Deposition of Bernard L. Madoff dated September 29, 2016 (ECF No. 14213), a copy of which is annexed hereto as Exhibit B, *as modified by* the Order

Authorizing the Continued Deposition of Bernard L. Madoff dated January 19, 2017 (ECF No. 14905), a copy of which is annexed hereto as Exhibit C, to the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, for signature on **April 19, 2017 at 12:00 p.m.**

**PLEASE TAKE FURTHER NOTICE**, that objections, if any, to the Order (“Objections”), shall (i) be in writing; (ii) conform to the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules and General Orders; (iii) specify the name of the objecting party and state with specificity the basis of the objection(s) and the specific grounds therefore; (iv) be filed in accordance with the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York, with a proof of service, and a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein, One Bowling Green, New York, New York 10004; and (v) be served upon (a) Baker & Hostetler LLP, Counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan, Esq., (b) the Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, DC 20006-1620, Attn: Kevin H. Bell, Esq., (c) Chaitman LLP, counsel for the certain BLMIS customers, 465 Park Avenue, New York, NY 10022, Attn: Helen Davis Chaitman, Esq., (d) and Schulte Roth & Zabel LLP, counsel for the Picower Parties,<sup>1</sup> 919 Third Avenue, New York, NY 10022, Attn: Marcy Ressler Harris, Esq. so as to be received no later than **April 19, 2017 at 11:30 a.m.**

**PLEASE TAKE FURTHER NOTICE**, that in the event any Objections are timely served and filed, a hearing may be held before the Honorable Stuart M. Bernstein, United States

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<sup>1</sup> The “Picower Parties” are Capital Growth Company; Decisions, Inc.; Favorite Funds; JA Primary Limited Partnership; JA Special Limited Partnership; JAB Partnership; JEMW Partnership; JF Partnership; JFM Investment Companies; JLN Partnership; JMP Limited Partnership; Jeffry M. Picower Special Company; Jeffry M. Picower, P.C.; the Picower Foundation; the Picower Institute of Medical Research; the Trust F/B/O Gabrielle H. Picower; and Barbara Picower, individually, and as executor of the estate of Jeffry M. Picower, and as Trustee for the Picower Foundation and for the Trust F/B/O Gabrielle H. Picower.

Bankruptcy Judge, at a date to be scheduled by the Court, upon such additional notice as the Court may direct. The moving and objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in relief being granted or denied upon default.

**PLEASE TAKE FURTHER NOTICE**, that if no timely Objections are served or filed the proposed Order may be signed without a hearing.

Dated: New York, New York  
April 17, 2017

By: /s/ David J. Sheehan  
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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*